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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/412,754	10/05/1999	JUDI VERNAU	10513-0001-2	1060

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EXAMINER

PARDO, THUY N

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 11/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PO

Office Action Summary

Application No.

09/412,754

Applicant(s)

VERNAU ET AL.

Examiner

Thuy Pardo

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-78 is/are pending in the application.
- 4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,7,12,17,19-31,34-36,39,43,50-53,56,65,70 and 73-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 5, 6, 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Continuation of Disposition of Claims: Claims withdrawn from consideration are 2,3,5,6,8-11,13-16,18,32,33,37,38,40-42,44-49,54,55,57-64,66-69,71,72 and 76-78.

DETAILED ACTION

1. Applicant's Restriction Response filed on August 14, 2002 in response to Examiner's Election/Restriction has been reviewed. Applicants elect Group I consisting of claims 1, 4, 7, 12, 17, 19-31, 34-36, 39, 43, 50-53, 56, 65, 70, and 73-75 with traverse.

2. Claims 1, 4, 7, 12, 17, 19-31, 34-36, 39, 43, 50-53, 56, 65, 70, and 73-75 are presented for examination.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers (No. 6) have been placed of record in the application file.

Information Disclosure Statement

4. The information disclosure statements filed on January 07, 2000, July 25, 2000, and March 09, 2001 (Paper No.5, 8, and 9) complies with the provisions of M.E.P. § 609. They have been placed of record in the application file. The information referred to therein has been considered as to the merits.

5. The information disclosure statement filed October 05, 1999 (Paper No. 2) fails to comply with 37 CFR 1.98(a)(1), which requires a list of all patents, publications, or other

information submitted for consideration by the Office. It has been placed in the application file, but the information referred to therein has not been considered.

Drawings

6. The drawings filed on October 05, 1999 are acceptable.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 4, 7, 12, 17, 19-31, 34-36, 39, 43, 50-53, 56, 65, 70, and 73-75 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Wical** U.S. Patent No. 5,930,788, in view of **Kishi** U.S. Patent No. 6,041,329.

As to claim 1, Wical teaches a computer processing apparatus for classifying a document [a document classification system, see the title and the abstract], comprising:

means for accessing a database structure providing a plurality of different subject matter categories, the database containing a classified vocabulary consisting of terms in all of the different subject matter categories with each term being classified in accordance with the subject matter

category structure of the database [col. 4, lines 61 to col. Co. 5, lines 21; fig. 3-4; col. 15, lines 24-46];

means for receiving in computer-readable form a text document to be classified [classified themes for a document, ab; col. 12, lines 42-51];

processor means operable to compare terms appearing in the text document with the terms in the classified vocabulary and to determine from the comparison the category for the document [comparing these category pairs with category cross reference database pairs, ab; fig. 2, 5].

However, Wical does not explicitly teach means for supplying a signal carrying data representing the text document and data associating the text document with the determined category. Kishi teaches means for supplying a signal carrying data representing the text document and data [signaling the insertion of an item into a library of the data storage subsystem, see the abstract].

Therefore, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to have modified the communication service system of Wical wherein the themes of a document classified through the use of a classification hierarchy that contains a plurality of categories provided thereof would have incorporated the teachings of Kishi especially the feature of signaling the insertion of an item into a library of the data storage subsystem; the motivation being to expand and enhance the versatility of Wical's system by these features in order to increase the accuracy for communicating with a data storage subsystem [Kishi, col. 3, lines 19-42].

As to claim 4, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Wical further teaches that the processor means is operable to determine the category

for the document by determining from the comparison the category or categories of terms in the document, assigning weights to the determined categories for the terms, and assigning the document being classified to the category having the highest weighting [fig. 2; col. 6, lines 46 to col. 7, lines 15].

As to claim 7, Wical and Kishi teach the invention substantially as claimed as specified in claims 1 and 7 above. Wical further teaches that the processor means is operable, for each term in the classified vocabulary and in the text document, to share a predetermined weighting factor between each category associated with the term [col. 6, lines 25-46].

As to claim 12, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Wical further teaches that the database also containing a plurality of collocations each collocation being associated with a specific different one of the subject matter categories and each collocation consisting of a plurality of terms exemplifying the associated category [fig. 4, 6A-6B; col. 7. Lines 56 to col. 8, lines 3].

As to claim 17, Wical and Kishi teach the invention substantially as claimed as specified in claim 12 above. Wical further teaches that the processor means is operable to disambiguate between different meanings of terms by using the collocations [col. 6, lines 2-11].

As to claim 19, Wical and Kishi teach the invention substantially as claimed as specified in claims 4, 7, and 19 above. Wical further teaches that the accessing means is arranged to access the collocations from store means separate from the remainder of the database [col. 4, lines 40 to col. 5, lines 21].

As to claim 20, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Wical further teaches store means configured to store the database [col. 8, lines 50 to col. 9, lines 12].

As to claim 21, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Wical further teaches store means storing the database [knowledge database, 155 of fig. 1].

As to claim 22, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Wical further teaches that the database structure provides said plurality of subject matter categories as a tree structure consisting of a plurality of main subject matter areas each divided into two or more subsidiary subject matter areas [col. 6, lines 2-6].

As to claim 23, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Wical further teaches that the database structure provides said plurality of subject

matter categories such that each category is defined by a subject matter area and a species or genus [col. 9, lines 20 to col. 10, lines 16].

As to claim 24, Wical and Kishi teach the invention substantially as claimed as specified in claims 1 and 23 above. Wical further teaches that the database provides said plurality of subject matter categories such that the species or geni.. are people, places, organizations, products and technology [col. 1, lines 48-53; fig. 4, 6A-6B; col. 3, lines 49-67; col. 4, lines 41-55].

As to claim 25, Wical and Kishi teach the invention substantially as claimed as specified in claims 1 and 23 above. Wical further teaches that the database structure provides said plurality of subject matter categories such that the species or genus are the same for each subject matter area [col. 1, lines 48-53; fig. 4, 6A-6B; col. 3, lines 49-67; col. 4, lines 41-55].

As to claim 26, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Wical further teaches that the database provides categories in each of the following subject matter areas: the universe, the earth, the environment, natural history, humanity, recreation, society, the mind and human history [col. 1, lines 48-53; fig. 4, 6A-6B; col. 3, lines 49-67; col. 4, lines 41-55].

As to claim 27, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Wical further teaches that the database structure is such that, for a given meaning,

a term is associated with only one category and different meanings of the same term are associated with different categories [col. 5, lines 38-52; col. 6, lines 2-6].

As to claim 28, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Kishi further teaches that the supplying means comprises means for storing a signal supplied by the supplying means on a computer readable medium [ab; col. 3, lines 1-6].

As to claim 29, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Kishi further teaches that the supplying means comprises means for forwarding a signal supplied by the supplying means to another processing apparatus [ab; col. 3, lines 1-6].

As to claim 30, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Wical further teaches that the supplying means comprises means for displaying the information to a user [output display, 1060 of fig. 8].

As to claim 31, it is a corresponding method claim of claim 1. All limitations of this claim have been rejected in the analysis of claim 1 above, and this claim is rejected on that basis.

As to claim 34, it is a corresponding method claim of claim 4. All limitations of this claim have been rejected in the analysis of claim 4 above, and this claim is rejected on that basis.

As to claim 35, it is a corresponding method claim of claim 7. All limitations of this claim have been rejected in the analysis of claim 7 above, and this claim is rejected on that basis.

As to claim 36, all limitations of this claim have been rejected in the analysis of claim 12 above, and this claim is rejected on that basis.

As to claim 39, it is similar to claim 12; therefore, it is rejected under the same rationale.

As to claim 43, all limitations of this claim have been rejected in the analysis of claim 19 above, and this claim is rejected on that basis.

As to claim 50, all limitations of this claim have been rejected in the analysis of claim 28 above, and this claim is rejected on that basis.

As to claim 51, all limitations of this claim have been rejected in the analysis of claim 29 above, and this claim is rejected on that basis.

As to claim 52, all limitations of this claim have been rejected in the analysis of claim 30 above, and this claim is rejected on that basis.

As to claim 53, all limitations of this claim have been rejected in the analysis of claims 1 and 12 above, and this claim is rejected on that basis.

As to claim 65, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Wical further teaches means for associating with the document being classified a code representing the subject matter area of the allocation collocation; and means for storing the document together with the associated code [col. 14, lines 54-66].

As to claim 70, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Wical further teaches carrying processor implementable instructions [col. 12, lines 49-59].

As to claims 73 and 74, Wical and Kishi teach the invention substantially as claimed as specified in claim 1 above. Wical further teaches a plurality of collocations for use with the database [tables 1 and 2, col. 10, lines 1-9 and 35-67].

As to claim 75, it is a corresponding method claim of claim 1. All limitations of this claim have been rejected in the analysis of claim 1 above, and this claim is rejected on that basis.

9. Applicant's election with traverse of in Paper No. 11 is acknowledged. The traversal is on the ground(s) that Applicant's application would appear to be part of overlapping search area and

not place a serious burden on Examiner. This is not found persuasive because of the following reasons:

a. Different classifications: These inventions have acquired a separate status in the art as shown by the different classification.

b. Different searches: The search required for one group is not required for the other group. In the instant case, the invention in Group I has required a search classified in Class 707, subclasses 101, 6, the invention in Group II has required a search classified in Class 707, subclass 102, the invention in Group III has required a search classified in Class 707, subclass 5, 4, the invention in Group IV has required a search classified in Class 707, subclass 104, the invention in Group V has required a search classified in Class 707, subclass 3, 5, 6, the invention in Group VI has required a search classified in Class 707, subclass 205. These inventions have acquired a separate status in the art as shown by the different classification and the search required for one group is not required for the other group.

c. Different subject matters: Group I drawn to a method and apparatus for classifying a document, Group II drawn to a method and apparatus for checking spelling in a document, Group III drawn to a method and apparatus for refining the results of a subject matter search carried out by a search engine using a keyword, Group IV drawn to a method and apparatus for generating a database for storage on a computer-readable medium, Group V drawn to a method and apparatus for filtering electronically stored documents forming the results of a search on the basis of a keyword, and Group VI drawn to a method and apparatus for storing and processing items of data, storing classified.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

The requirement is still deemed proper and is therefore made FINAL.

OTHER PRIOR ART MADE OF RECORD

Takano (US 5,983,246) discloses a distributed document classifying system and machine readable storage medium recording a program for document classifying. The Abstract and Disclosure are relevant.

Schoen (US 5,991,709) discloses a computer system for automatically classifying or declassifying military, intelligence, government, or industrial documents. The Abstract and Disclosure are relevant.

Witek et al. (US 6,253,188) discloses a method and system for providing classified ads over the Internet. The Abstract and Disclosure are relevant.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is (703) 305-1091. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

The fax phone number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238	(After Final Communication)
(703) 746-7239	(Official Communication)
(703) 746-7240	(For Status inquiries, draft communication)

and/or:

(703) 746-5616 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to them on occasions*).

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5359, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Application/Control Number: 09/412,754
Art Unit: 2175

Page 14

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington.

VA., Sixth Floor (Receptionist).

A handwritten signature in black ink, appearing to be 'Thuy Pardo', with a stylized, cursive script.

Thuy Pardo
October 31, 2002